

AUG 16 2004

Due Date: August 16, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:)

Inventors: Hugues Marchand et al.)

Serial #: 09/922,122)

Filed: August 3, 2001)

Title: METHOD OF CONTROLLING STRESS)
IN GALLIUM NITRIDE FILMS)
DEPOSITED ON SUBSTRATES)

Examiner: Matthew J. Song

Group Art Unit: 1765

Appeal No.: _____

BRIEF OF APPELLANTS

OFFICIAL

Mail Stop APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR §1.192, Appellants' attorney hereby submits the Brief of Appellants, in triplicate, on appeal from the final rejection in the above-identified application, as set forth in the Office Action dated December 9, 2003.

Please charge \$1005.00 to Deposit Account No. 50-0494 for the Request for Extension of Time for five (5) months. Also, please charge \$165.00 to Deposit Account No. 50-0494 for the Appeal Brief filing fee as set forth under 37 C.F.R. 1.17(f). Please charge any additional fees or credit any overpayment to Deposit Account No. 50-0494.

I. REAL PARTY IN INTEREST

The real party in interest is The Regents of the University of California, the assignee of the present application.

09/01/2004 DFLOYD 00000000 500494 09922122

01 FC:1235 1005.00 DA

1

30794.79-US-U1

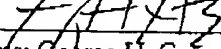
and Interferences reversing the Examiner and directing allowance of the pending claims in the subject application is respectfully solicited.

Respectfully submitted,

GATES & COOPER LLP
Attorneys for Appellants

Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, California 90045
(310) 641-8797

Date: August 16, 2004

By: 
Name: George H. Gates
Reg. No.: 33,500

GHG/io

G&C 30794.79-US-U1